

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

STANDING ROCK SIOUX TRIBE,
YANKTON SIOUX TRIBE; ROBERT FLYING
HAWK; OGLALA SIOUX TRIBE,

Plaintiffs,

and

CHEYENNE RIVER SIOUX TRIBE,

Plaintiff-Intervenor,

and

SARA JUMPING EAGLE, ET AL.,

Plaintiff-Intervenors,

v.

U.S. ARMY CORPS OF ENGINEERS,

Defendant-Cross
Defendant,

and

DAKOTA ACCESS, LLC,

Defendant-Intervenor-
Cross Claimant.

Case No. 1:16-cv-1534-JEB
(and Consolidated Case Nos. 16-cv-1796
and 17-cv-267)

**NOTICE OF ADDITION OF DOCUMENTS TO THE
ADMINISTRATIVE RECORD FOR THE ARMY CORPS' REMAND ANALYSIS**

Defendant the United States Army Corps of Engineers ("Corps") hereby gives notice that in accordance with the Court's Order of June 19, 2019, it has added additional documents to the Administrative Record for the remand analysis challenged in the above-captioned cases. Attached as Exhibit A is a certification and index of the additional documents that are being added to the remand Administrative Record.

Respectfully submitted this 26th day of June, 2019.

LAWRENCE VANDYKE
Deputy Assistant Attorney General
Environment & Natural Resources Division
U.S. Department of Justice

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CERTIFICATE OF SERVICE

I, Reuben S. Schiffman, hereby certify that on June 26, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and copies will be sent electronically to the registered participants as identified in the Notice of Electronic Filing.

/s/ Reuben Schiffman
REUBEN S. SCHIFMAN

Exhibit A

4. The Administrative Record includes, to the best of my knowledge, all documents that were directly or indirectly relied on by the U.S. Army Corps of Engineers. Furthermore, this additional set of record documents contains seven documents from a quoted passage taken from the July 2016 EA (RAR000011-12 of the Remand Analysis) that the Corps has agreed to add to the remand record pursuant to its understanding of the Court's May 8, 2019 Opinion. *See* ECF No. 426 at 2; ECF No. 418 at 6-7.

5. I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 24, 2019


COL John L. Hudson

Standing Rock Sioux Tribe v. United States Army Corps of Engineers

Dakota Access Pipeline Remand Administrative Record Index

Production Begin	Production End	Date	Subject/Description	From/Author	To	File Name	Remarks
RAR017092	RAR017100	8/27/2018	Email string regarding YST Consultation Protocols and Photography Permit between Thomas Tracy and Jennifer Baker (4/20/18-8/27/18), with attachment.	Tracy, Thomas J. (NWO)	Baker, Jennifer S. (Fredericks Peebles & Morgan, LLP)	RAR017092-RAR017100.pdf	
RAR017101	RAR017140	8/22/2018	Email transmitting the first draft DAPL Remand - Hunting and Fishing section, and discussing the review process, with attachment.	Boyd, Milton W. (HQUSACE)	Cossette, Brent J. (NWO); Kruger, Heath R. (NWO); Shelman, Johnathan A. (NWO); Grow, Catherine E. (NWO); Tracy, Thomas J. (NWO)	RAR017101-RAR017140.pdf	SUBJECT TO PROTECTIVE ORDER
RAR017141	RAR017144	6/14/2018	Email string discussing Fort Yates status and the location of the water intakes, with attachment.	Cossette, Brent J. (NWO)	Rowe, Steve (HDR, Inc.); Ames, Omar J. (Joel) (NWO)	RAR017141-RAR017144.pdf	
RAR017145	RAR017155	Undated	Attachment: Draft Conditions for Missouri River Water Intakes.			RAR017145-RAR017155.pdf	
RAR017156	RAR017159	6/13/2018	Email string discussing Fort Yates status and the location of the water intakes.	Stasch, Eric D. (NWO)	Ames, Omar J. (Joel) (NWO); Rowe, Steve (HDR, Inc.)	RAR017156-RAR017159.pdf	
RAR017160	RAR017160	5/2/2018	NWO response to YST's letter discussing protocols for government-to-government relations.	Hudson, John L. COL (NWO)	Flying Hawk, Robert (Chairman - YST)	RAR017160-RAR017160.pdf	
RAR017161	RAR017161	5/2/2018	NWO response to OST's letter acknowledging receipt of requested information, and the 6/1/2018 meeting.	Hudson, John L. COL (NWO)	Weston, Troy Scott (President - OST)	RAR017161-RAR017161.pdf	
RAR017162	RAR017162	5/2/2018	NWO response to OST's letter acknowledging receipt of requested information, and the 5/30/2018 meeting.	Hudson, John L. COL (NWO)	Frazier, Harold (Chairman - CRST)	RAR017162-RAR017162.pdf	
RAR017163	RAR017163	4/24/2018	Meeting invite for the 6/4/2018 meeting to discuss the supplemental information provided by SRST, OST, and YST.	Cossette, Brent J. (NWO)	Cossette, Brent J. (NWO); Kruger, Heath R. (NWO); Laux, Eric A. (NWO); Shelman, Johnathan A. (NWO); Grow, Catherine E. (NWO); Ames, Omar J. (Joel) (NWO); Jacobsen, Julie A. (NWO); Rowe, Steve (HDR, Inc.); Aubele, Michael C. (ETP); Borkland, Carl G. (Sunoco Logistics) (ETP)	RAR017163-RAR017163.pdf	
RAR017164	RAR017164	4/24/2018	Meeting invite for the 5/7/2018 meeting to discuss the supplemental information provided by SRST, OST, and YST.	Cossette, Brent J. (NWO)	Cossette, Brent J. (NWO); Kruger, Heath R. (NWO); Laux, Eric A. (NWO); Shelman, Johnathan A. (NWO); Grow, Catherine E. (NWO); Ames, Omar J. (Joel) (NWO); Jacobsen, Julie A. (NWO); Rowe, Steve (HDR, Inc.); Aubele, Michael C. (ETP); Borkland, Carl G. (Sunoco Logistics) (ETP)	RAR017164-RAR017164.pdf	
RAR017165	RAR017165	2/8/2018	Meeting invite for the 2/8/2018 meeting as a placeholder to discuss the DAPL Spill Model comment review.	Rowe, Steve (HDR, Inc.)	Rowe, Steve (HDR, Inc.); Cossette, Brent J. (NWO); Harlon, William D. III (NWO); Weber, Christopher	RAR017165-RAR017165.pdf	

RAR017166	RAR017198	1/24/2018	Email requesting a response to the attached Appendix C concerning the comment about remediation of a release to groundwater, with attachments.	Cossette, Brent J. (NWO)	Tracy, Thomnas J. (NWO); Grow, Catherine E. (NWO); Jacobsen, Julie A. (NWO)	RAR017166-RAR017198.pdf	
RAR017199	RAR017199	1/8/2018	Meeting invite scheduling the 1/12/2018 meeting to discuss the Remand narrative.	Cossette, Brent J. (NWO)	Cossette, Brent J. (NWO); Shelman, Johnathan A. (NWO); Rowe, Steve (HDR, Inc.); Borkland, Carl G. (Sunoco Logistics) (ETP); Aubele, Michael C. (ETP); Borkland, Carl G. (Sunoco Logistics) (ETP); Oh, Meghan (HRD, Inc.)	RAR017199-RAR017199.pdf	
RAR017200	RAR017200	12/18/2017	Email string discussing the DAPL spill model and the differences between OILMAPLand and SIMAP.	Rowe, Steve (HDR, Inc.)	Cossette, Brent J. (NWO)	RAR017200-RAR017200.pdf	
RAR017201	RAR017201	12/15/2017	Email string discussing how the casino uses the water supply on the reservation.	Ames, Omar J. (Joel) (NWO)	Rowe, Steve (HDR, Inc.)	RAR017201-RAR017201.pdf	
RAR017202	RAR017210	12/15/2017	Supplemental geological figures for Morton County and Emmons County.			RAR017202-RAR017210.pdf	
RAR017211	RAR017215	11/29/2017	Email string discussing the coordination for the in-person spill model presentation.	Rowe, Steve (HDR, Inc.)	Noel, Mark R. (ERDC)	RAR017211-RAR017215.pdf	
RAR017216	RAR017216	11/28/2017	Meeting invite scheduling the 12/21/2017 meeting to discuss comment responses to the technical reports submitted to the courts.	Cossette, Brent J. (NWO)	Cossette, Brent J. (NWO); Shelman, Johnathan A. (NWO); Laux, Eric A. (NWO); Harlon, William D. III (NWO); Rowe, Steve (HDR, Inc.); Aubele, Michael C. (ETP); Borkland, Carl G. (Sunoco Logistics) (ETP); Grow, Catherine E. (NWO)	RAR017216-RAR017216.pdf	
RAR017217	RAR017217	11/27/2017	Meeting invite changing the meeting location for the 11/28/2017 to discuss the DAPL Remand to review comment responses.	Cossette, Brent J. (NWO)		RAR017217-RAR017217.pdf	
RAR017218	RAR017218	11/26/2017	Meeting invite scheduling a bi-weekly reoccurring meeting starting on 10/26/2017 to discuss the DAPL Remand.	Cossette, Brent J. (NWO)		RAR017218-RAR017218.pdf	
RAR017219	RAR017219	10/19/2017	Meeting invite for 10/19/2017 scheduling the review of the DAPL Remand technical analysis.	Cossette, Brent J. (NWO)		RAR017219-RAR017219.pdf	
RAR017220	RAR017220	9/28/2017	Meeting invite scheduling the 10/19/2017 meeting to discuss comment responses to the technical reports submitted to the courts.	Cossette, Brent J. (NWO)		RAR017220-RAR017220.pdf	
RAR017221	RAR017222	10/16/2017	Email discussing the logisitics for the 10/19/2017 meeting concerning the DAPL Remand technical analysis.	Rowe, Steve (HDR, Inc.)	Cossette, Brent J. (NWO)	RAR017221-RAR017222.pdf	
RAR017223	RAR017223	9/27/2017	Email transmitting the write-up on the SIMAP modeling and model schedule, with attachment.	Rowe, Steve (HDR, Inc.)	Cossette, Brent J. (NWO)	RAR017223-RAR017223.pdf	
RAR017224	RAR017225	Undated	Attachment: HDR, Inc. SIMAP modeling information and schedule.	HDR, Inc.		RAR017224-RAR017225.pdf	

RAR017226	RAR017227	9/22/2017	Email string discussing the requested revisions to the 9/8/2017 meeting minutes.	Rowe, Steve (HDR, Inc.)	Shelman, Johnathan A. (NWO)	RAR017226-RAR017227.pdf	
RAR017228	RAR017228	9/22/2017	Email string discussing the 9/8/2017 meeting minutes and the discussion on medicinal aquatic plants near the shore.	Ames, Omar J. (Joel) (NWO)	Shelman, Johnathan A. (NWO); Laux, Eric A. (NWO); Grow, Catherine E. (NWO); Tracy, Thomas J. (NWO); Janis, Larry D. (NWO); Price, Julie A. (NWO); Wallace, Arthur L. Jr. (NWO); Harlon, William D. (NWO)	RAR017228-RAR017228.pdf	
RAR017229	RAR017283	8/3/2017	Pipeline Safety - Additional Actions Could Improve Federal Use of Data on Pipeline Materials and Corrosion, GAO-17-639.	U.S. Government Accountability Office (GAO)		RAR017229-RAR017283.pdf	
RAR017284	RAR017285	7/20/2017	How Oil Spills Affect Fish and Whales	National Oceanic and Atmospheric Administration, Office of Response and Restoration		RAR017284-RAR017285.pdf	
RAR017286	RAR017331	6/2/2017	DAPL Gathering System, DAPL Mainline and ETCOP Oil Pipeline Surge Analysis, Final Report.	Fluid Flow Consultants		RAR017286-RAR017331.pdf	
RAR017332	RAR017472	Jun-2017	On/Off Close Interval Structure-To-Electrolyte Potential Surveys Report	Aegion	Energy Transfer - DAPL	RAR017332-RAR017472.pdf	
RAR017473	RAR017480	4/4/2017	The effects of oil spills on marine fish: Implications of spatial variation in natural mortality, 119 Marine Pollution Bulletin 102-109 (2017)	Langangen, O., et al.		RAR017473-RAR017480.pdf	
RAR017481	RAR017509	5/4/2016	North Dakota Lake Oahe Crossing Spill Model Discussion, Dakota Access Pipeline Project	Wood Group Mustang	Dakota Access, LLC	RAR017481-RAR017509.pdf	SUBJECT TO PROTECTIVE ORDER
RAR017510	RAR017630	5/1/2016	BakkenLink Risk Assessment and Environmental Consequences Analysis, EA Appendices	Stantec Consulting Services, Inc.	BakkenLink Pipeline, LLC	RAR017510-RAR017630.pdf	
RAR017631	RAR018119	Nov-2015	Expert Panel Report on the Behavior and Environmental Impacts of Crude Oil Released into Aqueous Environments, Royal Society of Canada (2015)	Lee, K., et al.	Cadadian Energy Pipeline Association; Canadian Association of Petroleum Producers	RAR017631-RAR018119.pdf	
RAR018120	RAR018229	1/1/2015	BakkenLink EA Appendix A Risk Assessment and Environmental Consequences Analysis	Stantec Consulting Services, Inc.	BakkenLink Pipeline, LLC	RAR018120-RAR018229.pdf	
RAR018230	RAR018256	Jun-2014	Changes in Areas with Concentrated Poverty: 2000-2010	Bishaw, Alemayehu (U.S. Department of Commerce - U.S. Census Bureau)		RAR018230-RAR018256.pdf	
RAR018257	RAR018294	5/14/2014	A Survey of Bakken Crude Oil Characteristics Assembled for the U.S. Department of Transportation	American Fuel & Petrochemical Manufacturers; Dangerous Goods Transport Consulting, Inc.	U.S. Department of Transportation (USDOT)	RAR018257-RAR018294.pdf	
RAR018295	RAR018314	3/23/2010 12:00 AM	Bakken Oil Storage Tank Emission Models	Peacock, Paul (Marathon)		RAR018295-RAR018314.pdf	
RAR018315	RAR018372	8/26/2008	Report on the toxicity of oil to fish, DFO Contract #F2471-080006	Hodson, Peter V.		RAR018315-RAR018372.pdf	
RAR018373	RAR018458	Aug-2003	Models for Design of Free-Product Recovery Systems for Petroleum Hydrocarbon Liquids, Publication No. 4729	Charbeneau, Randall J. (University of Texas at Austin)	American Petroleum Institute (API)	RAR018373-RAR018458.pdf	

RAR018459	RAR018472	Sep-2001	Predicting the Effect of Hydrocarbon and Hydrocarbon-Impacted Soil on Groundwater	O'Reilly, Kirk T.; Magaw, Renae I.; Rixey, William G.	American Petroleum Institute (API)	RAR018459-RAR018472.pdf	
RAR018473	RAR018484	2000	Free-Product Recovery of Petroleum Hydrocarbon Liquids	Charbeneau, Randall J. ; Johns, Russell T.; Lake, Larry W.; McAdams, Michael J. III		RAR018473-RAR018484.pdf	
RAR018485	RAR018494	1999	Polyaromatic Hydrocarbon Content in Crude Oils Around the World, SPE 52724.	Kerr, J.M.; Melton, H.R. (Exxon Production Research, Co.); McMillen, S.J.; Magaw, R.I. (Chevron Research & Technology, Co.); Naughton, G.; Little, A.D.	Society of Petroleum Engineers (SPE)	RAR018485-RAR018494.pdf	
RAR018495	RAR020394	Apr-1997	The CERCLA Type A Natural Resource Damage Assessment Model for Coastal and Marine Environments (NRDAM/CME)	French, Deborah P., et al.	Office of Environmental Policy and Compliance, U.S. Department of the Interior (OEP-DOI)	RAR018495-RAR020394.pdf	
RAR020395	RAR020430	Jan-1987	Hydrocarbons in the freshwater environment, Advances in Limnology	Müller, Helga		RAR020395-RAR020430.pdf	
RAR020431	RAR021054	1979	Groundwater	Freeze, R. Allan; Cherry John A.		RAR020431-RAR021054.pdf	
RAR021055	RAR021060	Undated	Fishing/Small Game/Prairie Dog, Standing Rock Game & Fish Website	Standing Rock Sioux Tribe (SRST)		RAR021055-RAR021060.pdf	
RAR021061	RAR021090	Undated	Emergency Flow Restricting Devices (EFRD) Inspection and Test Plans, 4/23/2013, 6/26/2014, and 8/1/2014.	Wood Group Mustang		RAR021061-RAR021090.pdf	